## UNITED STATES DISTRICT COURT EASTERN DISTRICT OF TEXAS MARSHALL DIVISION

PERSONALIZED MEDIA	§	
COMMUNICATIONS, LLC,	§	
	§	
Plaintiff,	§	
	§	
V.	§	Case No. 2:15-cv-1754-JRG-RSP
	§	Case No. 2.13-CV-1/34-JRO-RS1
SAMSUNG ELECTRONICS AMERICA,	§	
INC. & SAMSUNG ELECTRONICS CO.,	§	
LTD.,	§	
	§	
Defendants.	§	

## ORDER ADOPTING REPORT AND RECOMMENDATION

Before the Court is the Report and Recommendation of Magistrate Judge Payne (Dkt. No. 93) concluding that Samsung's Rule 12(b)(6) Motion to Dismiss for Failure to State a Claim (Dkt. 23) be denied because the asserted patents are directed to patent-eligible subject matter under 35 U.S.C. § 101. After reviewing the record and the objections *de novo*, the Court finds that the Magistrate Judge's Report and Recommendation should be **ADOPTED**. (Dkt. No. 93.) Accordingly, Defendant's Rule 12(b)(6) Motion to Dismiss for Failure to State a Claim (Dkt. No. 23) is **DENIED**.

So ORDERED and SIGNED this 29th day of September, 2016.

RODNEY GILSTRAP
UNITED STATES DISTRICT JUDGE